

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS MARTINEZ and MICHAEL
CABRERA, individuals and as
representatives of the Class,

Plaintiffs,

**Case No. 2:16-cv-01230-DSC
Hon. David S. Cercone**

v.

PPG INDUSTRIES, INC.,

Defendants.

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Plaintiffs Thomas Martinez and Michael Cabrera ("Plaintiffs") respectfully move this Court to enter an Order: (1) granting preliminary approval of the Proposed Settlement Agreement ("Settlement") between Plaintiffs and Defendant PPG Industries, Inc; (2) certifying the proposed Settlement Class; (3) designating Plaintiffs as the representatives of the Settlement Class and their attorneys as Class Counsel; (4) approving the form and manner of class notice; and (5) scheduling a final approval hearing. This motion is based on Plaintiffs' accompanying Memorandum in Support of Plaintiffs' Motion for Preliminary Approval of the Proposed Settlement; the contemporaneously-filed declarations of Bruce C. Fox, Brock J. Specht, and Laura L. Ho; the arguments of counsel; and all files, records, and proceedings in this matter.

As a party to the proposed settlement, Defendant does not oppose the relief requested in this motion.

Respectfully submitted,

Dated: October 3, 2017

s/ Bruce C. Fox
Bruce C. Fox, PA ID No. 42576
bruce.fox@obermayer.com
Jeffrey B. Cadle, PA ID No. 200045
jeffrey.cadle@obermayer.com
**OBERMAYER REBMANN
MAXWELL & HIPPEL LLP**
500 Grant Street, Suite 5240
Pittsburgh, PA 15219

Brock J. Specht, MN Bar No. 0388343*
bspecht@nka.com
NICHOLS KASTER, PLLP
4600 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 256-3200
Facsimile: (612) 215-6870

Laura L. Ho, CA ID No. 173179*
lho@gbdhlegal.com
Byron R. Goldstein, CA ID No. 289306*
brgoldstein@gbdhlegal.com
GOLDSTEIN, BORGEN, DARDARIAN & HO
300 Lakeside Drive, Suite 1000
Oakland, CA 94612
Telephone: (510) 763-9800
Facsimile: (510) 835-1417

*admitted pro hac vice

*Attorneys for Plaintiffs and the
Proposed Settlement Class*